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VIA ECF

Honorable Margaret M. Garnett, U.S.D.J.
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: Local No. 171 Pension Fund v. Stone et al.; Case No. 1:24-cv-01769-MMG

Dear Judge Garnett:

This office represents Jeff and Eric Stone (“Defendants”) in the above-referenced action. We write to the Court with the consent of Plaintiff’s counsel pursuant to your Honor’s Individual Rules & Practices I(B)(5) to request that the Court adjourn the Initial Pretrial Conference and stay discovery pending the decision on Defendants’ Motion to Dismiss the Amended Complaint, or in the Alternative, to Transfer the Case.

The parties are requesting the proposed adjournment to conserve resources as there is an impending motion to dismiss which has been fully briefed and submitted. The current Initial Pretrial Conference is scheduled for June 20, 2024. This is the parties’ second request for adjournment. The parties propose holding the Initial Pretrial Conference during the week of July 29, 2024, or in the week following the Court’s decision on the Motion to Dismiss, if this case is then still pending.

In the alternative, if the Court chooses to proceed with the scheduled Initial Pretrial Conference, in accordance with your Honor’s Individual Rules & Practices II(A)(1) the parties request to attend the conference remotely by telephone or video.

Very truly yours,

TARTER KRINSKY & DROGIN LLP

/s/ Eliezer Lekht

Eliezer Lekht